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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,571	07/30/2003	Athena Christodoulou	300201988-3	6465
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HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400				
			EXAMINER NGUYEN, THUONG	
			ART UNIT 2155	PAPER NUMBER

DATE MAILED: 11/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/629,571	<b>Applicant(s)</b> CHRISTODOULOU ET AL.	
	<b>Examiner</b> Thuong T. Nguyen	<b>Art Unit</b> 2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 July 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                                                             |                                                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                                                 | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                                        | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/7/04</u> . | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

1. This action is in response to application 10/629,571 filed 7/30/03. Claims 1-22 are pending and represent establishment of network connections.

### ***Double Patenting***

2. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

3. Claims 1, 11, 21 and 22 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1, 8, 5, 11, 14 and 15 of copending Application No. 10/629,594. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.
4. Claim 4 provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 6 and 12 of copending Application No. 10/629,594. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

5. Claims 6 and 16 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 7 and 13 of copending Application No. 10/629,594.

This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

6. Claims 7 and 17 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 3 and 9 of copending Application No. 10/629,594. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

7. Claims 9 and 19 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1, 8, 14 and 15 of copending Application No. 10/629,594. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

8. Claims 10 and 20 are provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claim 2 of copending Application No. 10/629,594. This is a provisional double patenting rejection since the conflicting claims have not in fact been patented.

#### ***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 1, 7-8, 10, 12, 14-15, 17-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The inventor does not explain what is the predetermined address at the client, same as predetermined criterion, period of time and step.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Eichstadt Patent No. 2003/0023754. Eichstadt teaches the invention as claimed including method and system for adding real-time, interactive functionality to a web-page (see abstract).

12. As to claim 1, Eichstadt teaches a method comprising: sending to the client, with a copy of a first web page, a link which points to an address of a server on which a copy of the sub-page is hosted, actuating the link, and displaying an alias for the predetermined address at the client (page 6, paragraph 43; Eichstadt discloses that the

method of letting the user to navigating through the web-pages with multiple links which displays on the user's computer the corresponding pages once selected).

13. As to claim 2, Eichstadt teaches a method as recited in claim 1 wherein a plurality of links are provided, each pointing to a different address, and each different address being an address of a server on which a copy of the sub-page is hosted (page 6, paragraph 42; Eichstadt discloses that the method of providing a plurality browser and an address window which users may enter an Internet address or URL to cause the browser to navigate to a desired Internet site or web-site).

14. As to claim 3, Eichstadt teaches a method as recited in claim 1, wherein the alias is an address of a server which is adapted to translate the alias into an address of a server on which a copy of the sub-page is hosted (page 4, paragraph 33; Eichstadt discloses that the method of identified an HTML tag provided in the HTML code that defines the web-page which analyzes the web-page to locate each element and tags).

15. As to claim 4, Eichstadt teaches a method as recited in claim 1 wherein the alias is displayed on a graphical user interface of a program running on the client which is adapted to enable user navigation of the Internet (page 4, paragraph 31; Eichstadt discloses that the method of including the browser software provided for viewing and displaying web-pages received by the client's computer).

16. As to claim 5, Eichstadt teaches a method as recited in claim 1 further comprising the steps of: determining on the basis of a predetermined criterion, whether actuation of the link has been successful in obtaining the sub-page, if not, actuating another of the links, and repeating previous steps until the first to occur of: all of the

links have been actuated; and actuation of a link has been successful in accordance with the predetermined criterion (page 4, paragraph 32; Eichstadt discloses that the method of checking to see if the user authorized to view the requested page through the communication between the user's cookie with the server. When the web-page is displayed, the code is initialized, which triggers the site to display simultaneously).

17. As to claim 6, Eichstadt teaches a method as recited in claim 5 wherein the alias displayed is the same for each of the links actuated (page 4, paragraph 34; Eichstadt discloses that the method of viewing the same web-page and participating in the session of the link).

18. As to claim 7, Eichstadt teaches a method as recited in claim 5 wherein the predetermined criterion is whether, within a predetermined period of time, a predetermined step in a process of establishing connection with a server has been reached (page 3, paragraph 30; Eichstadt discloses that the method of determined the suitable location, time, functionality and applications once the web-page is executed).

19. As to claim 8, Eichstadt teaches a method as recited in claim 7 wherein the predetermined step is completion of a connection with a server (page 3, paragraph 25; Eichstadt discloses that the method of the special software and installed thereon to operate the connection with the server to a network such as Internet).

20. As to claim 9, Eichstadt teaches a method as recited in claim 1 further comprising the steps of: actuating each of the links simultaneously, on the basis of a predetermined criterion, selecting one of the actuated links, and terminating all of the others (page 5, paragraph 35; Eichstadt discloses that the method of retrieves and

displays the web-page corresponding to the user's request once established the connection with the web-page and browser and eased the code once navigate to another web-site or URL ).

21. As to claim 10, Eichstadt teaches a method as recited in claim 9 wherein the predetermined criterion is the greatest progress in establishing full connection with one of the servers after a specified interval of time following simultaneous actuation of all links (page 4, paragraph 32; Eichstadt discloses that the method of simultaneously display the web-page by the browser based on the script code which structure the web-page).

22. As to claim 11, Eichstadt teaches a method comprising:

receiving from a client a request for a first web page hosted on the server (page 5, paragraph 40; Eichstadt discloses that the method of receiving the request from the client in the browser window);

sending to the client, with the first page, a link which points to an address within the Internet of a further server hosting a copy of the sub-page (page 5, paragraph 39; Eichstadt discloses that the method of providing a link to another web-pages by selecting the hypertext link); and

sending with the first web page instructions which are executable upon actuation of the link to cause a browser programme to display an alias of the address of the further server (page 6, paragraph 43; Eichstadt discloses that the method of letting the user to select a link in a web-page that provides a link to another web-page).



23. As to claim 12, Eichstadt teaches a method as recited in claim 11 wherein a plurality of links are sent to the client with the first page, each pointing to a different predetermined address within the Internet, each predetermined address being an address of a further server hosting a copy of the sub-page, and the instructions are executable upon actuation of each link (page 6, paragraph 42; Eichstadt discloses that the method of providing a plurality browser and an address window which users may enter an Internet address or URL to cause the browser to navigate to a desired Internet site or web-site).

24. As to claim 13, Eichstadt teaches a method as recited in claim 11, wherein the alias is an address of a server adapted to translate the alias to an address of one of the further servers (page 4, paragraph 33; Eichstadt discloses that the method of identified an HTML tag provided in the HTML code that defines the web-page which analyzes the web-page to locate each element and tags).

25. As to claim 14, Eichstadt teaches a method as recited in claim 11 comprising: determine on the basis of a predetermined criterion, whether actuation of the link has been successful in obtaining the sub-page, if not, to actuate another of the links, and repeat previous steps until the first to occur of: all of the links have been actuated, and actuation of a link has been successful in accordance with the predetermined criterion (page 4, paragraph 32; Eichstadt discloses that the method of checking to see if the user authorized to view the requested page through the communication between the user's cookie with the server. When the web-page is displayed, the code is initialized, which triggers the site to display simultaneously).

26. As to claim 15, Eichstadt teaches a method as recited in claim 14 wherein the links are actuated in a predetermined order established prior to dispatch from the web server (page 5, paragraph 35; Eichstadt discloses that the method of determined the predetermined requirement for the browser to communicate with the web server).

27. As to claim 16, Eichstadt teaches a method as recited in claim 15 wherein the alias displayed is the same for each of the links actuated (page 4, paragraph 34; Eichstadt discloses that the method of viewing the same web-page and participating in the session of the link).

28. As to claim 17, Eichstadt teaches a method as recited in claim 15 wherein the predetermined criterion is whether, within a predetermined period of time, a predetermined step in a process of establishing connection with a further server has been reached (page 3, paragraph 30; Eichstadt discloses that the method of determined the suitable location, time, functionality and applications once the web-page is executed).

29. As to claim 18, Eichstadt teaches a method as recited in claim 17 wherein the predetermined step is completion of a connection with a further server (page 3, paragraph 25; Eichstadt discloses that the method of the special software and installed thereon to operate the connection with the server to a network such as Internet).

30. As to claim 19, Eichstadt teaches a method as recited in claim 13 further comprising: actuate each of the links simultaneously, select, on the basis of a predetermined criterion, one of the actuated links, and terminate all of the others (page 5, paragraph 35; Eichstadt discloses that the method of retrieves and displays the web-

Art Unit: 2155

page corresponding to the user's request once established the connection with the web-page and browser and eased the code once navigate to another web-site or URL ).

31. As to claim 20, Eichstadt teaches a method as recited in claim 19 wherein the predetermined criterion is the greatest progress in establishing full connection with one of the further servers after a specified interval of time following simultaneous actuation of all links (page 4, paragraph 32; Eichstadt discloses that the method of simultaneously display the web-page by the browser based on the script code which structure the web-page).

32. As to claim 21, Eichstadt teaches a web server adapted to respond to a request from a client (page 5, paragraph 40; Eichstadt discloses that the method of receiving the request from the client in the browser window) by sending to the client a copy of a first web page and to include with the first web page a plurality of links each of which points to a different predetermined address within the Internet, each predetermined address being an address of a further server (page 5, paragraph 39; Eichstadt discloses that the method of providing a link to another web-pages by selecting the hypertext link), the web server being adapted to send with the first web page and in response to said request, instructions executable, upon actuation of one of the plurality of links, to instruct a browser program in the client to display an alias of the predetermined address (page 6, paragraph 43; Eichstadt discloses that the method of letting the user to select a link in a web-page that provides a link to another web-page).

33. As to claim 22, Eichstadt teaches a method comprising:

requesting from a web server a copy of a first web page (page 5, paragraph 40; Eichstadt discloses that the method of receiving the request from the client in the browser window);

actuating a link on the first web page which points to an address within the Internet of a further server hosting a copy of the sub-page (page 5, paragraph 39; Eichstadt discloses that the method of providing a link to another web-pages by selecting the hypertext link); and

actuating code associated with the link to cause a browser programme to display an alias of the address of the further server (page 6, paragraph 43; Eichstadt discloses that the method of letting the user to select a link in a web-page that provides a link to another web-page).

### **Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuong T. Nguyen whose telephone number is 571-272-3864. The examiner can normally be reached on 7:30AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thuong T Nguyen  
Patent Examiner/Art Unit 2155



**SALEH NAJJAR**  
SUPERVISORY PATENT EXAMINER